

### **REMARKS**

The Applicant has filed the present Response in reply to the outstanding Official Action of April 24, 2003, and the Applicant believes the Response to be fully responsive to the Official Action for the reasons set forth below.

In the Official Action, the Examiner first rejected Claims 1-3 pursuant to 35 U.S.C. § 102(e), as allegedly anticipated by Dais, *et al.* (U.S. Patent No. 6,490,615) (hereinafter "Dais"). More specifically, the Examiner alleged that Dias' transmission of a client request for an object and the retrieval of the requested object disclose the claimed transferring an access list and acquiring home page data on the basis of the transferred access list. The Examiner further rejected Claims 4-6 pursuant to 35 U.S.C. § 103(a), as allegedly unpatentable over Dais in view of Brandt, *et al.* (U.S. Patent No. 6,377,993) (hereinafter "Brandt").

The Applicant respectfully disagrees with the Examiner's allegations pursuant to 35 U.S.C. §§ 102(e) and 103(a), and as a consequence, the Applicant proffers the following arguments directed to the patentability of the claimed invention.

Insofar as rejections pursuant to 35 U.S.C. § 102(e) are concerned, it is axiomatic that anticipation requires that the prior art reference disclose each and every element of the claim to which it is applied. *In re King*, 801 F.2d 1324, 1326 (Fed. Cir. 1986). Thus, there must be no differences between the subject matter of the claim and the disclosure of the applied prior art reference. Stated another way, the prior art reference must contain within its four corners adequate direction to practice the invention as claimed. A corollary to the aforementioned rule, which is equally applicable, states that the absence from the applied prior art reference of any claimed element negates

anticipation. *Kloster Speedsteel AB v. Crucible Inc.*, 793 F.2d 1565, 1571 (Fed. Cir. 1986).

In traversing the rejections of the independent Claim 1 pursuant to 35 U.S.C. § 102(e), the Applicant respectfully submits that Dias is defective in that it fails to disclose the steps of transferring an access list and acquiring home page data on the basis of the transferred access list, as particularly recited in the independent Claim 1. As depicted in Figs. 1 and 5 and described in the present specification on pages 7 and 11, the access list comprises URL addresses of home pages a user wants to browse. To the contrary of the claimed invention, at the columns cited by the Examiner on page 2 of the Official Action, Dias merely discloses transmitting a client request for an object from one cache node to another cache node (handoff) in a cache array when there is a cache miss, and thereafter retrieving the requested object for that client request. Furthermore, at Col. 4 lines 22-28, Dias describes that a request for a web page may be made by inputting a corresponding URL at a web browser. More specifically, whereas the claimed access list comprises URL addresses, Dias request represents a single URL for an object. In addition, the Applicant respectfully submits that a client request is a technically disparate term of art from an access list. Consequently, the Applicant respectfully submits that Dias fails to disclose transferring an access list and acquiring home page data on the basis of the transferred access list, as recited in independent Claim 1 of the present invention.

In view of the foregoing, the Applicant respectfully requests the Examiner to withdraw the rejection of the independent Claim 1 pursuant to 35 U.S.C. § 102(e). Furthermore, the Applicant respectfully requests the Examiner to withdraw rejections of

the dependent Claims 2 and 3, based on their respective dependencies from the independent Claim 1.

In traversing the rejections of Claims 4-6 pursuant to 35 U.S.C. § 103(a), the Applicant respectfully submits that the Dias-Brandt combination is likewise deficient in that fails to teach or suggest the steps of transferring an access list and acquiring home page data on the basis of the transferred access list, as particularly recited in the independent Claim 1 from which Claims 4-6 directly or indirectly depend. The arguments presented above with regard to the primary prior art reference to Dias are applicable here and are incorporated herein in their entirety. More specifically, Dias' client request for an object and retrieval of the requested object for that client request does not teach or suggest the claimed access list and acquisition of home page data on the basis of the transferred access list. The secondary prior art reference is directed to an Intranet/Internet/Web-based data management tool that provides a common GUI enabling the requesting, customizing, scheduling and viewing of various priced call detail data reports pertaining to customer's usage of telecommunications services. However, the secondary prior art reference to Brandt does not rectify the above-identified deficiency regarding the claimed transferring of an access list and acquiring home page data on the basis of the transferred access list. Consequently, the Dias-Brandt combination fails to teach or suggest the claimed invention as recited in the independent Claim 1.

In view of the foregoing, the Applicant respectfully requests the Examiner to withdraw the rejections of dependent the Claims 4-6 pursuant to 35 U.S.C. § 103(a), based at least on their respective dependencies, whether direct or indirect, from the independent Claim 1.

In sum, the Applicant believes that the above-identified application is in condition for allowance and henceforth respectfully solicits the allowance of the application. If the Examiner believes a telephone conference might expedite the allowance of this application, the Applicant respectfully requests that the Examiner call the undersigned, Applicant's attorney, at the following telephone number: (516) 742-4343.

Respectfully submitted,



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